

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: COLUMBIA UNIVERSITY
PATENT LITIGATION

04-MDL-1592

This document relates to all actions

**STATEMENT OF JOHNSON & JOHNSON CONCERNING ‘275 PATENT
AND ‘159 APPLICATION**

Pursuant to the Court’s October 7, 2004 Order, plaintiff Johnson & Johnson respectfully states that it has not located any additional case law that changes the analysis of (i) *Spectronics Corp. v. H. B. Fuller Corp., Inc.*, 940 F.2d 631 (Fed. Cir. 1991), with respect to the ‘275 patent or (ii) *GAF Building Materials Corp. v. Elk Corp. of Dallas*, 90 F.3d 470 (Fed. Cir. 1996), with respect to the ‘159 application.

October 12, 2004

Respectfully submitted,

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